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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554  
FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

In the Matter of )  
Access Billing Requirements ) RM 8540  
for Joint Service Provision )

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COMMENTS ON PETITION FOR  
RULEMAKING OF US WEST

BellSouth Telecommunications, Inc. ("BellSouth") hereby comments on the Petition for Rulemaking filed by US WEST Communications, Inc. ("US WEST") in the above-captioned proceeding. US WEST requests the Commission to initiate a rulemaking proceeding to eliminate "the single bill requirement" for US West and other local exchange carriers ("LECs") who jointly provided access services under meet point billing arrangements.

As a preliminary matter, it is BellSouth's understanding that, under existing requirements, LECs are required to provide a single bill in jointly provided service arrangements only where they cannot show that they meet at least one of three existing criteria.<sup>1</sup> A rulemaking

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<sup>1</sup> These criteria have to do with 1) the timing in which meet point billing was developed; 2) the burden associated with multiple bills; and 3) adherence to the industry-developed Multiple Exchange Carrier Access Billing Guidelines to assure verifiability of multiple bills. See Access Billing Requirement for Joint Service Provision, 4 FCC Rcd 7914 (1989) ("Review Order"); 4 FCC Rcd 2162 (1989) ("1989 Order"); and Order (DA 88-1544), released October 4, 1988 ("1988 Order").

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proceeding such as is requested by US West therefore would only be required for the purpose of eliminating the single bill requirement altogether, even for LECs which cannot demonstrate that they meet any of these criteria.

As was explained by BellSouth in its Comments on US WEST's Petition for Waiver of the single bill requirement,<sup>2</sup> LECs which are currently providing multiple bills in jointly provided service arrangements are complying with existing Commission requirements where such LECs comply with at least one of the three criteria specified by the Bureau as justifying multiple bills.<sup>3</sup> Although in its 1988 Order the Bureau had required LECs to demonstrate that each of three specified criteria are met in order to justify the use of multiple bills,<sup>4</sup> the Bureau later modified that requirement in its 1989 Order which concluded the meet point billing investigation. In the 1989 Order, the Bureau summarized as follows:

We again remind the carriers, first, that the Commission has a stated preference for the single billing option and expects LECs to abide by that

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<sup>2</sup> See Access Billing Requirements for Joint Service Provision, CC Docket No. 87-579, Request for Waiver, filed by US WEST on November 1, 1994, and Comments on Request for Waiver of US WEST and BellSouth Request for a Similar Waiver for Itself and All Other LECs, If and to the Extent a Waiver is Required, filed by BellSouth on November 14, 1994.

<sup>3</sup> 1989 Order ¶ 23.

<sup>4</sup> 1988 Order ¶¶ 73 et seq.

preference unless they can claim one of the exemptions listed in the October Order.<sup>5</sup>

Upon review, the Commission determined that the three criteria which the Bureau had originally specified in the 1988 Order were reasonable, but the Commission also recognized that the Bureau had subsequently waived and clarified the requirements established in the 1988 Order in the 1989 Order.<sup>6</sup> The Bureau's statement in the 1989 Order that LECs are required to meet only one of the established criteria in order to be exempt from the single bill requirement has neither been challenged nor modified.

Nevertheless, it would be appropriate for the Commission to initiate a rulemaking proceeding for the purpose of revising its rules to remove the single bill requirement altogether. As US WEST indicates, the access environment is in a constant state of change. The Commission now requires LECs to provide expanded interconnection and tandem signalling arrangements to their access customers, including but not limited to alternative access providers, sharers and resellers, which will enable such customers to provide portions of switched access service arrangements themselves. Multiple bills will be a common, if not an inevitable, outcome of such arrangements,

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<sup>5</sup> 1989 Order ¶ 23 [emphasis supplied], referring to 1988 Order ¶¶ 73 et seq.

<sup>6</sup> Review Order ¶ 5 at n. 9 and n. 11.

as customers would be expected to receive at least one bill from the alternative access provider, sharer or reseller, and at least one from the LEC.

A requirement that the LECs involved in the service arrangement must provide a single bill when the other entities involved in the overall service arrangement are not required to meet the same single billing requirement would be illogical. In addition, it would be inequitable to require LECs to incur the additional expenses which would be associated with the provision of single bill arrangements while competitive providers are not also required to do the same. The Commission's preference for single bills originated at a time when access service arrangements were only provided by authorized local exchange carriers. This preference should give way to more flexible access billing arrangements in which each access provider is permitted to determine for itself the best means of serving its customers in the more competitive environment which exists today.

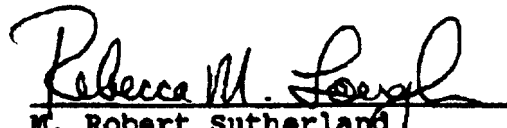
In conclusion, the rulemaking proceeding which US WEST has requested is not necessary in order to provide LECs the authority to provide multiple bills in jointly provided service arrangements where at least one of the three existing criteria is met. On the other hand, a rulemaking proceeding to eliminate the single bill requirement altogether would be appropriate in order to align the Commission's access billing requirements with the more

competitive arrangements which are now available in which the involvement of multiple providers, including alternative access providers, and therefore multiple bills, will become more and more common.

Respectfully submitted,

BELLSOUTH TELECOMMUNICATIONS, INC.

By:

  
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Richard M. Sbaratta  
Rebecca M. Lough

Its Attorneys

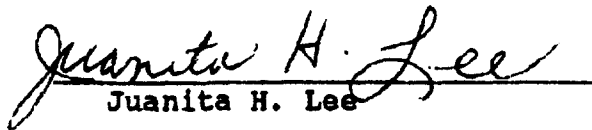
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Date: December 7, 1994

CERTIFICATE OF SERVICE

I hereby certify that I have this 7th day of December, 1994, served the following parties to this action, with a copy of the foregoing COMMENTS, by placing a true and correct copy of same in the United States mail, postage prepaid.

James T. Hannon  
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Juanita H. Lee